

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF SOUTH CAROLINA
FLORENCE DIVISION

United States of America)
)
) Case No. 4:04-634-TLW
vs.)
)
Jermaine Antonio Armstrong,)
)
_____)

This matter is before the Court for consideration of whether the defendant is entitled to a reduction in his sentence pursuant to Amendment 706 to the United States Sentencing Guidelines ("U.S.S.G."), effective November 1, 2007, and deemed retroactive March 3, 2008. U.S.S.G. App. C. Amend. 706 (Nov. 1, 2007).

The Court has reviewed the record in this case including the defendant's Pre-sentence Investigation Report and the Sentence Reduction Report, both prepared by the United States Probation Office. Based on this review, the Court has determined that the defendant is not eligible for a reduction in his sentence pursuant to 18 U.S.C. § 3582 for the following reason(s): this case does not qualify because Chapter 4 adjustment over-rides Chapter Two, the defendant is an career offender. Accordingly, defendant's motion for reduction under 18 U.S.C. 3582 is **DENIED**. (Doc. # 105).

IT IS SO ORDERED.

s/ Terry L. Wooten
TERRY L. WOOTEN
UNITED STATES DISTRICT JUDGE

July 29, 2010
Florence, South Carolina